

### **REMARKS**

Claims 1-30 are presently pending in this application. Claims 1, 3, 16, and 18 are amended. Supports for the foregoing amendments can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Meadows, et al. (U.S. Pat. No. 6,716,101) in view of Lim, et al. (U.S. Pat. No. 6,259,923). This rejection is respectfully traversed.

Applicant has amended claim 1, 3, 16, and 18 to more clearly point out the claimed subject matter. Claim 1 is directed to a method that selects one of a DBM-based method and a TCP/IP-based method, wherein an MS communicates location information of said MS with an PDE via data burst messages in said DBM-based method, wherein said MS communicates the location information of said MS with said PDE via a TCP/IP network in said TCP/IP-based method. In other words, the MS selectively sends its location information to an entity that immediately collects the information, such as a PDE, via either data burst messages or a TCP/IP network. Applicant submits that Meadows and Lim, individually or in combination, fail to teach or suggest the above limitations.

Meadows at best appears to disclose that a location of a wireless device can be determined by 1) the location of a closest cell tower/site, Meadows, col. 4, Ins. 18-39, 2) cell tower triangulation algorithms, Meadows, col. 4, Ins. 40-51, or 3) a global positioning system (GPS), Meadows, col. 4, Ins. 52-60. In the first two situations, the location of the wireless device is determined based on the cell tower locations and the wireless device itself does not have its own location information; thus, the wireless device does not communicate its location information to the location processor (13). In the last situation, Meadows does not disclose how the wireless device communicates its location information, acquired through the GPS, to the location processor (13). Meadows at best appears to disclose a geographical location database (15) is connected with an Http server (16) to provide information to the Internet (17) after the location processor (13) receives the location information and records it in the geographical location database (15). Meadows, col. 3, Ins. 59-60. Therefore, Meadows cannot anticipate the limitations of selecting from the DBM-based method or the TCP/IP based method for communication between the MS and the PDE.

Lim fails to cure the deficiency of Meadows. Lim at best appears to disclose that a mobile station (MS 104) communicates its location information to a base station controller/mobile switching center (BSC/MSC 103) through data burst messages. Lim, col 5, Ins. 19-40 and Fig. 3 (steps 304 and 306). Lim appears silent about that an MS (104) communicates with the BSC/BTS through a TCP/IP based network. Rather, Lim at best appears to disclose that the CLC (101) and the SMSC (102) can communicate via protocols based on TCP/IP after or before the communications between the MS and the BSC/BTS occur. Lim, Fig. 3 (steps 301 and 309) and col. 3, Ins. 59-62. Therefore,

Applicant submits that Lim fails to provide a predicable solution or variation upon which one of ordinary skill in the art can reply to modify Meadows to obtain the claimed invention, which include the limitations of selecting from a DBM-based method or a TCP/IP based method for communication between the MS and the PDE.

In view of the foregoing, Applicant submits claim 1 and its dependent claims 2-15 define over the art cited by the Examiner. Claim 16 and its dependent claims 17-30 define over the art cited by the Examiner for one or more of the reasons set forth regarding claim 1.

In addition, claim 3 and 18 are directed to a method wherein a client server selects said TCP/IP-based method if said terminal connected to said client server is identical to said MS whose location information is to be provided, and otherwise, said client server selects said DBM-based method. Applicant submits that the cited references each are silent about the above limitations. Specifically, the cited paragraph of Meadows does not address the above limitations. Thus, Applicant respectfully requests the Examiner clarify the basis for the rejections on claims 3 and 18.

In view of the foregoing, Applicant submits that claim 3 and 18 define over the art cited by the Examiner additionally for these reasons.

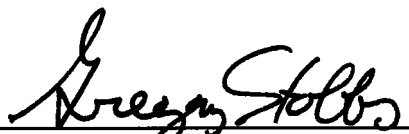
## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action and the present application is in condition for allowance. Thus, *prompt and* favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 11, 2008

By:   
Gregory A. Stobbs  
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GAS/PFD